APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,372	06/30/2003	Kirk Soluk	MSI-1575US	3151

22801   7590   03/17/2008
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EXAMINER
BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
2153	

MAIL DATE	DELIVERY MODE
03/17/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/611,372	SOLUK ET AL.
	Examiner	Art Unit	
	YASIN M. BARQADLE	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>01 January 1934</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-34</u> is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-34</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a) ☐ All   b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Amendment

1.   Applicant's arguments filed on February 07, 2008 have been

considered, however they are moot in view of the new grounds of

rejection.

  • Claims 1-34 are presented for examination.

Claim Rejections - 35 USC § 102

   The following is a quotation of the appropriate paragraphs of

   35 U.S.C. 102 that form the basis for the rejections under

   this section made in this Office action:

      A person shall be entitled to a patent unless -

      (e) the invention was described in (1) an application for patent, published
      under section 122(b), by another filed in the United States before the
      invention by the applicant for patent or (2) a patent granted on an
      application for patent by another filed in the United States before the
      invention by the applicant for patent, except that an international
      application filed under the treaty defined in section 351(a) shall have the
      effects for purposes of this subsection of an application filed in the
      United States only if the international application designated the United
      States and was published under Article 21(2) of such treaty in the English
      language.

2.   Claims 1-34 are rejected under 35 U.S.C. 102(e) as being

anticipated by Patterson USPN (7093005).

As per claim 1 and 30-31, Patterson teaches a method and

computer readable media having a computer programs, comprising:

identifying at least one role associated with a target
server (col. 4, lines 14-28);

identifying one or more services associated with the role
(col. 4, lines 14-28 and col. 27, lines 14-28); identifying one
or more ports associated with the role (col. 27, lines 14-28 and
col. 28, lines 9-54); presenting the identified services and
ports associated with the role to a user(col. 27, lines 14-28
and col. 28, lines 9-54 see fig. 4A-4C); and requesting the user
to select among the identified ports for activation in the
target server (col. 27, lines 14-28 and col. 28, lines 9-54, see
fig. 4A-4C).

As per claim 2 and 33, Patterson teaches the method as recited
in claim 1 wherein the identified services and ports are limited
to those that are relevant based on information obtained from a
knowledge base (col. 3, lines 3-29 and col. 9, lines 51-67. See
databases in fig. 1D).

As per claim 3, Patterson teaches the method as recited in claim
1 wherein the identified services and ports are limited to those
that are relevant based on information regarding a target server
col. 9, lines 51-67 and col. 28, lines 9-54).

As per claim 4, Patterson teaches the method as recited in claim
1 further comprising activating the selected services and ports
(col. 27, lines 14-28 and col. 28, lines 9-54 see fig. 4A-4C).

As per claim 5, Patterson teaches the method as recited in claim
4 wherein at least one of services associated with the role and
the ports associated with the roles are identified from a
knowledge base (col. 3, lines 3-29; col. 9, lines 51-67 and col.
28, lines 9-54 see fig. 4A-4C).

As per claim 6, Patterson teaches identifying an operating
systems level of a target server (col. 9, lines 54-62),
determining one or more security levels for the target server
based on the identified operating system level of the target
server (col. 9, lines 54-62); selecting one of the determined
security levels for the target server (col. 9, lines 54-62);
wherein identifying at least one role includes identifying at
least one role associated with the target server based on the
selected security level (web server role may defined base on OS
and application of the server and cloning a web server implies
setting the security level in such a way it can be accessed
remotely. See port well know port 80 in figure 4C).

As per claims 7 and 32, Patterson teaches deactivating
unselected services and ports (col. 28, lines 9-54 and col. 29,
lines 28-51).

As per claim 8, Patterson teaches the method as recited in claim
1 further comprising generating an output file containing
services and ports selected by the user col. 28, lines 9-54 and
col. 29, lines 28-51, see fig. 4A-4C).

As per claim 9, Patterson teaches the method as recited in claim
1 further comprising displaying details regarding the role in
response to a request by the user (see fig. 4A-4C).

As per claim 10 and 34, Patterson teaches displaying a list of
options for handling a service associated with the target server
that is not defined in a knowledge base (col. 9, lines 51-67 and
col. 28, lines 9-54 see fig. 4A-4C).

As per claim 11, Patterson teaches the method as recited in
claim 10 further comprising requesting the user to select an
option for handling the service (col. 9, lines 51-67 and col.
28, lines 9-54 see fig. 4A-4C).

As per claim 12, Patterson teaches One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 1 (see fig. 1D).

As per claim 13 and 18-19, Patterson teaches the method comprising: identifying one or more roles associated with a target server (col. 4, lines 14-28 and col. 27, lines 14-28); identifying one or more services associated with the roles (col. 27, lines 14-28 and col. 28, lines 9-54); displaying the identified services associated with the roles ((col. 27, lines 14-28 and col. 28, lines 9-54); allowing a user to modify the displayed services (¶0022-0026); and identifying the modified services as active services and identifying the unmodified services as inactive services (col. 27, lines 52-65 and col. 28, lines 9-54. see fig. 4A-4C). Patterson further teaches identifying the selected ports as active ports and identifying the unselected ports as inactive services (col. 27, lines 52-65 and col. 28, lines 9-54. see fig. 4A-4C).

As per claim 14, Patterson teaches the method as recited in claim 13 wherein identifying services associated with the role

includes retrieving data from a knowledge base (col. 30, lines
40-63).

As per claim 15, Patterson teaches the method as recited in
claim 13 further comprising generating an output file containing
services modified by the user (col. 27, lines 52-65 and col. 28,
lines 9-54. see fig. 4A-4C).

As per claim 16, Patterson teaches the method as recited in
claim 13 wherein the user is responsible for configuring the
target server (col. 27, lines 52-65 and col. 28, lines 9-54. see
fig. 4A-4C).

As per claim 17, Patterson teaches method as recited in claim 13
further comprising generating an output file identifying active
ports and inactive ports (col. 28, lines 9-54 and col. 29, lines
34-51. see fig. 4A-4C).

As per claim 20, Patterson teaches method as recited in claim 19
further comprising generating an output file identifying ports
selected by the user (col. 28, lines 9-54 and col. 29, lines 34-
51. see fig. 4A-4C).

As per claim 21, Patterson teaches method as recited in claim 19
wherein the one or more ports are identified using information
contained in a knowledge base (¶0022-0027 and 0032).

As per claim 22, Patterson teaches method as recited in claim 19
wherein the user is responsible for configuring the target
server (col. 28, lines 9-54 and col. 29, lines 34-51. see fig.
4A-4C).

As per claim 23, Patterson teaches method as recited in claim 22
further comprising:

    displaying one or more ports associated with the role (col.
28, lines 9-54 and col. 29, lines 34-51); and

    requesting the user to select among the one or more ports
to activate in the target server (col. 28, lines 9-54 and col.
29, lines 34-51. see fig. 4A-4C).

As per claim 24, Patterson teaches one or more computer-readable
memories containing a computer program that is executable by a
processor to perform the method recited in claim (see fig 1D)

As per claim 25, Patterson teaches an apparatus comprising:

    a pre-processor to receive information regarding server

roles from a knowledge base and to receive characteristics of a
target server (col. 3, lines 3-29 and col. 9, lines 51-67. See
databases in fig. 1D), wherein the pre-processor generates a
file containing server role information relevant to the target
server ((col. 28, lines 9-54 and col. 29, lines 34-51. see fig.
4A-4C), and wherein information in the file regarding services
and ports associated with the server roles is presented to a
user for selection ((col. 28, lines 9-54 and col. 29, lines 34-
51. see fig. 4A-4C); and a configuration engine coupled to the
pre-processor, wherein the configuration engine configures the
target server based on the user's selection of services and
ports (col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-
4C).).

1.

As per claim 26, Patterson teaches the apparatus as recited in
claim 25 further comprising a user interface application to
generate an output file identifying services selected by the
user (col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-
4C).

As per claim 27, Patterson teaches the apparatus as recited in
claim 25 further comprising a user interface application to
generate an output file identifying ports selected by the user

(col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-4C).

As per claim 28, Patterson teaches the apparatus as recited in

claim 26 wherein the configuration engine applies the output

file when configuring the target server (col. 8, lines 4-54 and

col. 29, lines 34-51. see fig. 4A-4C).

As per claim 29, Patterson teaches the apparatus as recited in

claim 27 wherein the configuration engine applies the output

file when configuring the target server (col. 8, lines 4-54 and

col. 29, lines 34-51. see fig. 4A-4C).

Conclusion

2.   The prior art made of record and not relied upon is

considered pertinent to applicant's disclosure.

    Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Yasin

Barqadle whose telephone number is 571-272-3947. The examiner

can normally be reached on 9:00 AM to 5:30 PM.

    If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Glenn Burgess can be

reached on 571-272-3949. The fax phone numbers for the

organization where this application or proceeding is assigned are

703-872-9306 for regular communications and 703-746-7238 for
After Final communications.

    Any inquiry of a general nature or relating to the status of
this application or proceeding should be directed to the
receptionist whose telephone number is 703-305-3900.

    Information regarding the status of an application may be
obtained form the Patent Application Information Retrieval (PAIR)
system. Status information for published applications may be
obtained from either private PAIR or public PAIR system. Status
information for unpublished applications is available through
private PAIR only. For more information about the PAIR system,
see http://pair-direct.uspto.gov. Should you have questions on
access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

/Yasin M Barqadle/
Examiner, Art Unit 2153